

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-26 are currently pending. Of these, claims 1-18 are allowed.

II. REJECTION OF CLAIMS 19-21 AND 24-26 UNDER 35 USC 102(E) AS BEING ANTICIPATED BY QIU (US PATENT NO. 6,640,318)

In the present invention as recited, for example, in claim 19, a slave test unit is connected to a digital data network via a phone line. As recited, for example, in claim 19, a remote test unit is connect to the digital data network so that electrical signals are transmitted from the remote test unit to the slave test unit by traveling via packets through the digital data network and then over the phone line from the digital data network to the slave test unit, and so that electrical signals are transmitted from the slave test unit to the remote test unit by traveling from the slave test unit to the digital data network over the phone line and then via packets through the digital data network.

As recited, for example, in claim 19, electrical signals transmitted from the remote test unit to the slave test unit in response to a call made from the remote test unit with the remote test unit positioned at an end point of the call include a test command indicating a test signal to be generated on the phone line by the slave test unit. As recited, for example, in claim 19, the slave test unit generates the test signal on the phone line in accordance with the test command.

Please note that claim 19 is amended to clarify that a call is made from the remote test unit with the remote test unit positioned at an end point of the call. Similar amendments are made to claim 26. Support for the amendments is found, for example, in FIGS. 2 through 4, and the disclosure on page 3, lines 20-22; and page 8, lines 11-21, of the specification.

In Qiu, test communications occur between communication hubs. For example, in FIG. 2 of Qiu, test communications occur between communication hubs 301 and 305, or between communication hubs 301 and 303.

However, the communication hubs of Qiu are not positioned at end points of a call. Instead, the communication hubs are positioned at intermediate points in a call. For example, in FIG. 2 of Qiu, communication hubs 301 and 303 are positioned between a call made from call device 300 to call device 306.

In addition, the communication hubs of Qiu do not make calls. Instead, the

communication hubs perform continuity tests in response to calls made by other devices, such as calls made by call device 300. For example, in FIG. 5 of Qiu, call device 300 makes a call (see the Off-Hook, Dial Tone and Digits communications in FIG. 5 of Qiu). The communication hubs then perform a continuity test in response to the call made by call device 300.

Therefore, it is respectfully submitted that Qiu does not disclose or suggest that a call is made by a remote test unit with the remote test unit positioned at an end point of the call, as recited, for example, in claim 19, in combination with the other features as recited, for example, in claim 19.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIM 23 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER QIU

The comments in Section II, above, for distinguishing over Qiu, also apply here.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIM 22 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER QIU IN VIEW OF HARDY (US PATENT NO. 6,519,323)

The comments in Section II, above, for distinguishing over Qiu, also apply here.

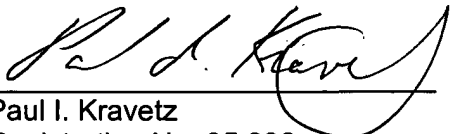
In view of the above, it is respectfully submitted that the rejection is overcome.

V. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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